

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOHN VINCENT FUSTINI,

Plaintiff,

v.

Case No. 10-CV-11625  
HON. GEORGE CARAM STEEH

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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ORDER ACCEPTING MARCH 16, 2011 REPORT AND  
RECOMMENDATION (#19), DENYING DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT, REVERSING DECISION DENYING BENEFITS,  
AND REMANDING FOR FURTHER PROCEEDINGS

This is an action for judicial review of defendant's decision denying plaintiff's application for social security disability benefits and for supplemental security income. The matter was referred to Magistrate Judge Morgan, who issued a Report and Recommendation on March 16, 2011, recommending defendant's motion for summary judgment be denied, the decision denying benefits be reversed, and the matter be remanded to the Commissioner for further proceedings. The objection deadline has passed and no objections were filed. The court has reviewed the Report and Recommendation, and in the absence of timely objection,

The court hereby adopts Magistrate Judge Morgan's March 16, 2011 Report and Recommendation, denies defendant's motion for summary judgment, reverses the decision denying benefits, and remands the matter to the Commissioner for further proceedings.

SO ORDERED.

Dated: April 6, 2011

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record by  
electronic and/or ordinary mail.

s/Josephine Chaffee  
Deputy Clerk